

The "Code Noir" (1685)

Source: *Le Code Noir ou recueil des reglements rendus jusqu'a present* (Paris: Prault, 1767)
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The Black Code

Edict of the King

**Concerning the enforcement of order in the French American islands
from the month of March 1685**

Registered at the Sovereign Council of Saint-Domingue, May 6, 1687

Louis, by the grace of God, King of France and Navarre, to all present and to come, greetings. Since we owe equally our attention to all the peoples that Divine Providence has put under our obedience, We have had examined in our presence the memoranda that have been sent to us by our officers in our american islands, by whom having been informed that they need our authority and our justice to maintain the discipline of the Catholic, Apostolic, and Roman church there and to regulate the status and condition of the slaves in our said islands, and desiring to provide for this and to have them know that although they live in regions infinitely removed from our normal residence, we are always present to them, not only by the range of our power, but also by the promptness of our attempts to assist them in their needs. For these reasons, by the advice of our Council, and by our certain knowledge, full power, and royal authority, We have said, ruled, and ordered, we say, rule, and order, wish, and are pleased by that which follows.

First Article

We wish and intend that the edict by the late King of glorious memory our very honored lord and father of 23 April 1615 be enforced in our islands, by this we charge all our officers to evict from our Islands all the Jews who have established their residence there, to whom, as to the declared enemies of the Christian name, we order to have left within three months from the day of the publication of these present [edicts], or face confiscation of body and property.

II.

All the slaves who will be in our Islands will be baptized and instructed in the Catholic, Apostolic, and Roman religion. We charge the planters who will buy newly arrived *negres* to inform the Governor and Intendant of the said islands within a week at the latest or face a

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descretionary fine, these [officials] will give the necessary orders to have them instructed and baptized within an appropriate time.

III.

We forbid any public exercise of any religion other than the Catholic, Apostolic, and Roman; we wish that the offenders be punished as rebels and disobedient to our orders. We prohibit all congregations for this end, which we declare "conventicules," illicit and seditious, subject to the same penalty which will be levied even against masters who allow or tolerate them among their slaves.

IV.

No overseers will be given charge of *negres* who do not profess the Catholic, Apostolic, and Roman religion, on pain of confiscation of the said *negres* from the masters who had given this charge to them and of discretionary punishment of the overseers who accepted the said charge.

V.

We forbid our subjects of the so-called reformed religion to disturb or prevent our other subjects, even their slaves, from the free exercise of the Catholic, Apostolic, and Roman religion, on pain of exemplary punishment.

VI.

We charge all our subjects, whatever their status and condition, to observe Sundays and holidays that are kept by our subjects of the Catholic, Apostolic, and Roman religion. We forbid them to work or to make their slaves work on these days from the hour of midnight until the other midnight, either in agriculture, the manufacture of sugar or all other works, on pain of fine and discretionary punishment of the masters and confiscation of the sugar, and of the said slaves who will be caught by our officers in their work.

VII.

Equally we forbid the holding of *negre* markets and all other markets the said days on similar pains, including confiscation of the merchandise that will be found then at the market and descretionary fine against the merchants.

VIII.

We declare our subjects who are not of the Catholic, Apostolic, and Roman religion incapable in the future of contracting a valid marriage. We declare bastards the children born of such unions which we desire to be held and considered, we hold and we consider to be truly concubinage.

IX.

The free men who will have one or several children from their concubinage with their slaves, together with the masters who permitted this, will each be condemned to a fine of two thousand pounds of sugar; and if they are the masters of the slave by whom they have had the said children, we wish that beyond the fine, they be deprived of the slave and the children, and

that she and they be confiscated for the profit of the [royal] hospital, without ever being manumitted. Nevertheless we do not intend for the present article to be enforced if the man who was not married to an other person during his concubinage with his slave would marry in the church the said slave who by this means will be manumitted and the children rendered free and legitimate.

X.

The said solemnities prescribed by the Ordonnance of Blois, Articles XL, XLI, XLII, and by the declaration of November 1629 for marriages will be observed both for free persons and for slaves, nevertheless without the consent of the father and the mother of the slave being necessary, but that of the master alone.

XI.

We forbid priests to officiate at the marriages of slaves unless they can show the consent of their masters. We also forbid masters to use any means to constrain their slaves to marry [them?] against their will.

XII.

The children who will be born of marriage between slaves will be slaves and will belong to the master of the women slaves, and not to those of their husband, if the husband and the wife have different masters.

XIII.

We wish that if a slave husband has married a free woman, the children, both male and girls, will follow the condition of their mother and be free like her, in spite of the servitude of their father; and that if the father is free and the mother enslaved, the children will be slaves the same.

XIV.

Masters are held to put into Holy Ground in cemeteries so designated [as will] their baptized slaves; and those who die without having received baptism will be buried at night in some field near the place where they died.

XV.

We forbid slaves to carry any weapon, or large sticks, on pain of whipping and of confiscation of the weapon to the profit of those who seize them; with the sole exception of those who are sent hunting by their master and who carry their ticket or known mark.

XVI.

In the same way we forbid slaves belonging to different masters to gather in the day or night whether claiming for wedding or otherwise, whether on their master's property or elsewhere, and still less in the main roads or faraway places, on pain of corporal punishment, which will not be less than the whip and the *fleur de lys* [branding with the symbol of the kings of France; this was a punishment for deserters and habitual criminals in France] and which in cases of

frequent violations and other aggravating circumstances can be punished with death: this we leave to the decision of judges. We charge all our subjects to approach the offenders, to arrest them and take them to prison, even if they are not officers and there is not yet any decree against them.

XVII.

Masters who are convicted of having permitted or tolerated such assemblies composed of slaves other than those belonging to them will be condemned in their own and private name to pay for all the damage that will have been done to their neighbors by these said assemblies and a fine of 10 *ecus* for the first time and double for repeat offenses.

XVIII.

We forbid slaves to sell sugar cane for whatever reason or occasion, even with the permission of their master, on pain of whipping for the slaves and 10 *livres tournois* for their masters who permitted it, and a similar fine against the buyer. [Translator's note: In this period a slave might cost about 1,000 *livres* and a fine horse, about 400. A day laborer in France might earn 1/2 to 1 *livre* per day.]

XIX.

We forbid them also to expose for sale, at the market or to carry to private houses for sale any kind of commodity, even fruits, vegetables, firewood, herbs for their food and animals of their manufacture without express permission of their masters by a ticket or by known marks, on pain of confiscation of the things thus sold, without restitution of the price by their masters, and of a fine of six *livres tournois* to their profit for the buyers.

XX.

We wish, to this end, that two persons be charged by our officers in each market to examine the commodities and merchandises that will be carried by the slaves, together with the tickets and marks of their masters.

XXI.

We permit to all our subjects living in our islands to take all the things slaves are carrying when these slaves are without tickets from their masters, or known marks, to be returned instantly to their masters, if the plantations are neighboring the place where the slaves are surprised in this crime, if not they will be instantly sent to the [royal] hospital to be held there until the masters have been notified.

XXII.

Each week masters will have to furnish to their slaves ten years old and older for their nourishment two and a half jars in the measure of the land, of cassava flour or three cassavas weighing at least two-and-a-half pounds each or equivalent things, with two pounds of salted beef or three pounds of fish or other things in proportion, and to children after they are weaned to the age of 10 years half of the above supplies.

XXIII.

We forbid them to give to the slaves cane brandy in place of the subsistence mentioned in the previous article.

XXIV.

We similarly forbid them to unburden themselves of the food and subsistence of their slaves by permitting them to work a certain day of the week for own ends.

XXV.

Each year masters will have to furnish each slave with two outfits of canvas or 4 *aulnes* [about one square yard or meter] of canvas, at the master's discretion.

XXVI.

The slaves who are not fed, clothed and supported by the masters according to what we have ordered by these articles will notify our attorney of this and give him their statements, based on which and even as a matter of course, if the information comes to him from elsewhere, the masters will be prosecuted by him and without cost, which we want to be observed for the cries [crieries] and barbarous and inhumane treatments of masters towards their slaves.

XXX.

Slaves will not be allowed to be given offices or commissions with any public function, nor to be named agents by any other than their masters to act or administer any trade or judgement in loss or witnesses, either in civil or criminal matters; and in cases where they will be heard as witnesses, their dispositions will only serve as memorandum to aid the judges in the investigation, without being the source of any presumption, conjecture or proof.

XXXI.

Nor can slaves be party, either in judgement nor in civil suits, either as plaintiff or defendant, neither in civil or criminal suites ...

XXXIII.

The slave who will have struck his master or the wife of his master, his mistress or their children to bring blood, or in the face, will be punished with death.

LV.

Masters twenty years old will be able to manumit their slaves by all [legal] deeds or by cause of death, without being required to provide the reason for this manumission, neither will they need the permission of parents, provided that they are minors twenty-five years of age.

LVI.

Children made universal beneficiaries by their masters, or named executors of their testaments or tutors of their children, will be held and regarded as manumitted.

LVII.

We declare their manumissions enacted in our islands to serve in place of birth in our islands and manumitted slaves will not need our letters of naturalization in order to enjoy the advantages of our natural subjects in our kingdom, lands and countries under our obedience, although they be born in foreign lands.

LVIII.

We command manumitted slaves to retain a particular respect for their former masters, their widows and their children; such that the insult that they will have done be punished more severely than if it had been done to another person: we declare them however free and absolved of any other burdens, services and rights that their former masters would like to claim, as much on their persons as on their possessions and estates as patrons.

LIX.

We grant to manumitted slaves the same rights, privileges and liberties enjoyed by persons born free; desiring that they merit this acquired liberty and that it produce in them, both for their persons and for their property, the same effects that the good fortune of natural liberty causes in our other subjects.

[one final article about the recipient of fines]

This we give and command to our loved and loyal supporters the persons holding our sovereign council established in Martinique, Gadeloupe [sic], Saint Christophe, that they read, publish and register [signed Louis, Colbert, LeTellier]

Father Jean-Baptiste Labat, *Nouveau voyage aux isles de l'Amerique*

Martinique around 1700

Translated by [John Garrigus](#)

It is a very old law that all who take shelter in the lands of the kings of France are free. This is why King Louis XIII, of glorious memory, as pious as he was wise, was so reluctant to agree to let the first inhabitants of the islands have slaves, and agreed only to the pressing demands that were made to him to grant them this permission because it was pointed out to him that it was an infallible means, and the only means, to inspire Africans to the worship of the true God, to remove them from idolatry, and to make them persevere until death in the Christian religion that they had been made to adopt.

The negro slaves that we have in the Islands came to us mostly from the two Companies of Africa and of Senegal, who alone are authorized by the King for this trade, [which is] restricted to any other. I said for the most part because during times of war, we often have slaves that are

taken from enemy vessels that come from other parts of Africa, or that are taken in the raids on their islands and their plantations; and during the peace, we get quite a few more by secret trade with the English and Dutch and the Danish of Saint Thomas [Virgin Islands].

The Guinee and Senegal Companies are obliged by their agreement with the King to carry every year to the Islands a significant number of slaves, I believe two thousand, whose price is determined by age, sex, strength, beauty, appearance and the need of the planters.

But whether by ineffectiveness ["impuissance"] or by some other reason that I do not know, when I arrived in the Islands it had been already a long time that no one spoke of slaves from these Companies; all they did was use their charters to prevent private merchants from trading along the African coasts, unless they bought permission from them, like the Sieurs Maurelet [slave traders in Marseilles, France] had.

These Companies have counters and forts in the places that the King granted them by his letters; that of Senegal has its at the Senegal River, at Gambia and in that area; that of Guinea has it at Benin, Juda, Arada and other places on this coast.

In all these places, there are four kinds of persons that are sold to the Companies or to other merchants that come there to trade.

The first are criminals, and generally all those who deserve death or some other punishment. The second are prisoners of war that they take [in wars] against their neighbors, with whom they are in constant war which has no other goal than these raids or kidnappings of persons, which they do by surprise, without ever arriving at an open war or a major action, or some decision. The third are the personal slaves of the princes, or of those to whom the princes have given [slaves], who sell them according to their whim or need. The fourth, finally, who are most numerous, are those that are taken, by order, by princely consent, by certain thieves called merchants who steal all the men, women, children they can catch and lead them to a vessel or the counter of the merchants to whom they must be delivered, who brand them immediately with a hot iron and put them in irons to be sure [they don't escape].

This trade of "slave stealer" is very dangerous, because, beyond the fact that everyone has the right to defend themselves, and even to kill them, when those that they want to kidnap turn out to be stronger, they can sell them themselves, if they can hold them and thereby make them pay an eye for an eye.

I bought a young slave from whom I later learned that he had been taken in this way with one of his brothers.

The price of slaves in Africa is determined by the number that the princes or private [merchants] have to sell, the number of buyers and the needs of the vendors; they are paid for with iron bars, guns, powder, shot, fabric, paper, light cloth and other merchandise and

especially in *bouges*, which are shells that are brought from the Maldiv Islands, which serve as currency along the whole coast.

The slave trade is not the only commerce conducted on the African coast. Much gold, elephants' teeth, called morphy, wax, hides, gum, and *la maiguette*, a type of pepper, is shipped from there. Parrots, monkeys, clothes or grass skirts ["pagnes"] and other things are also brought from there [story of a trader who mistakenly collected some 300 monkeys for a merchant house in Nantes]

The gold that is taken from Guinee is in powder or grains. The slaves who carry it on board the vessels or to the counters falsify it as much as possible by mixing copper filings and the big yellow pins that are brought to them from Europe. Several merchants, having been fooled by this, have complained to the kings of the country who were not able to do them justice, they, either by impotence or unwillingness, the most having scarcely more honor than their subjects, each takes the law into his own hands. Therefore when a slave carries gold, it is weighed in his presence and put immediately in *aqua fortis* [a form of nitric acid]. If the gold is false, this is known right away by the green color of the *aqua fortis*, which comes from the copper that was mixed with the gold. The gold remaining in the *aqua fortis* is then weighed and if the same weight is not found, the merchant is put into irons; he is made a slave as punishment for his fraud, unless he can purchase himself, if he can do it before the vessels leave, which is usually not very easy.

The kings of the Guinee coast and of all that part of Africa, from Cape Verde to that of Good Hope, do not have large kingdoms. This multiplicity of different states produces such a great diversity of languages and manners that in forty or fifty leagues from the coast or from a country four or five different languages are often found.

The most widespread of all these languages, at least as far as I have been able to learn from many people who have visited these lands and by my own experience, is that which is spoken in the kingdom of Arada and of Juda.

It is very easy. The verbs have only three tenses: the present, the past, and the future. The nouns do not decline and only the article changes. It has many adverbs and though it seems barren, it is very expressive.

Since some of our slaves at Fonds Saint-Jacques [the Dominican plantation in Martinique] were Aradas, and it was important for me to know what happened among them, I had one of them teach me some rules of this language and in very little time I knew enough to understand all that they said and to explain my thoughts to them.

Nearly all the slaves are idolaters. There are only a few from around Cape Verde who are Moslem. When these are brought to the Islands, one must be careful not to take them because unless they adopt the Christian religion, they are still subject to the abominable sin that caused

the four infamous cities to perish; and it is of the greatest consequence that this vice not be introduced among the slaves, not in the land.

Nearly all the adult slaves who leave their land are sorcerers, or at least they have some acquaintance with magic, sorcery and poison. Although what I am going to say will be surprising, it should not be doubted, since I have proof of it in my hands.

Monsieur the Comte de Gennes, commanding a squadron of Royal ships, having taken the fort at Goree in 1696, had two of these vessels loaded with the slaves that he found in the warehouses of the English and had them leave for the French islands. One of these vessels had several negresses quite skilled in these diabolical arts, who, to save themselves from this voyage stopped the ship so effectively that it took more than seven weeks to travel the distance one would ordinarily cover in two times 24 hours; the ship was as if nailed in the same spot several leagues from land, although there was a very favorable wind. Such an extraordinary event frightened the officers and crew, who, unable to discover the cause of this spell, could not undo it. Their supply of water and food began to dwindle, and death spread among the slaves; they were forced to throw some into the sea. Several of them, while dying, complained of a certain negresse who they said was the cause of their death because since she threatened to eat their hearts, they had withered away, feeling great pain. The ship's captain had several of these [dead] slaves opened up, and, in fact, their hearts and livers were as dry and as empty as a ball, although otherwise they seemed to be in their natural state.

After some thought, the captain had the accused *negresse* fastened to a cannon and whipped harshly to have from her mouth an admission of the crimes she was charged with. Since it appeared that she did not feel the blows the head surgeon of the ship believed that the official was not beating her with enough force; he took a piece of rope and gave her several strokes with all his might. The *negresse* made it even more obvious that she felt no pain and told the surgeon that since he mistreated her for no reason, and with no right, she would make him repent and would eat away his heart. At the end of two days the surgeon died in great pain. His body was opened and his major organs were as dry as parchment.

After this, the captain did not know where to turn. He could have had the said *negresse* strangled, or thrown into the sea; but he was afraid that she was not alone, and that those remaining from her group would take extreme measures; he decided to treat her gently and made extravagant promises to get her to stop her evil spells. They bargained and it was agreed to return her to land with two or three others of her choice, and she promised to allow the ship to leave; and to allow that officer to see a sample of what she was able to do, she asked him if he had any fruit or anything else that could be eaten. He told her that he had watermelons.

--Show me them, she said, and without touching or getting close to them, know that I will have eaten them within 24 hours.

He agreed and showed her, from a distance, several watermelons that he immediately locked in a trunk, putting the key in his pocket, unwilling to trust it to his men. The next morning the

negresse asked him where the melons were, he opened the trunk where he had locked them and was elated when he saw them still whole; but his emotion was shortly transformed into a strange amazement when he had them taken out to show her [for] they were found empty, with only the skin remaining, stretched like a ball and dry as parchment. They were forced to return to land to take on water and supplies. This poor wretch with several others of her company was left there, after which the ship continued its voyage without incident.

The officers of the English fort and trading counter who were prisoners in this ship have signed an affidavit of this adventure; the original is in the hands of Mme la Comtesse de Gennes, who has given me a copy of it.

Some envious [competitors] of this French commerce have spread the rumor among the slaves that we bought them and took them to our colonies in order to eat them. This slander unworthy of people who call themselves Christians caused many slaves to despair during the voyage and try to throw themselves in the sea and drown rather than go to a land where they imagined they would be devoured, as they knew happened in several parts of Africa. I have sometimes seen ships loaded with slaves who, in spite of all that could be done during the voyage to remove this idea from their minds, were not reassured and only believed themselves saved from the slaughterhouse when they saw a large number of their fellows who assured them that they would not be eaten, but only made to work.

When they are purchased and brought to the plantation [in Martinique], it is extremely important to avoid the insatiable greed and horrible harshness of some planters who make them work the moment they arrive, almost without giving them the time to catch their breath. Such actions show no charity nor tact and a lack of understanding of one's own interests. These poor folk are tired from a long voyage during which they were constantly attached two by two with an ankle iron. They are exhausted from hunger and thirst, from which they always suffer greatly during the crossing, to say nothing of their displeasure [*"deplaisie"*] at being far from their country, with no hope of ever returning. Does it not increase, their pain and suffering to push them to work without giving them several days of rest and good food?

After they have arrived at the house, eaten and rested for several hours, it is necessary to have them bathed in the sea, to shave their heads and have their bodies rubbed with palm oil. This loosens their joints, making them more flexible and prevents scurvy, if they were likely to be attacked by it. For two or three days the flour or cassava [manioc, a starchy root native to the Americas] that is given them must be moistened with olive oil, they should eat sparingly and often, and bathe morning and night. This regime readies them for a little bleeding and a gentle purging [laxative] that is given to them.

This good treatment, together with the clothes they are given and whatever other gentleness is shown them, makes them affectionate and makes them forget their country and the unfortunate situation of their servitude.

After seven or eight days, they can be given some light work to accustom them to it. Most do not wait until one sends them out; they follow the others when the overseer calls.

In order to better train, instruct and integrate them into plantation life, it is good to start the new slaves off in the huts of older slaves. These will take them in willingly, whether they are from their country or not, they take pride that the slave given them is best cared for, best instructed and in better condition than that of their neighbor. They take all possible care of them and treat them as their child, but they have them eat separately and sleep in a different room from them; and when the newcomer notices this separation and asks why they tell him that since he is not Christian he is too beneath them to eat and sleep in their room.

These ways give the new slaves an exalted idea of the position of Christians; and since they are naturally prideful they endlessly beg their masters and priests to baptize them; so that to satisfy them, one takes whole days to teach them the doctrine and prayers.

Beyond the catechism, which is normally done morning and night in the best-ordered households, as are nearly all the plantations of the Lesser Antilles, a well instructed slave is ordinarily set aside to teach the doctrine individually to new slaves, beyond the fact that those with whom they are lodged take marvelous care to teach them, if only to be able to say to the priest or to their master that the slave entrusted to them is ready to be baptized. They usually stand as godparents.

All the slaves have a great respect for the old. They never call them by their names without adding "Father." Although they are not their parents, they obey them and comfort them in all things. They always count the house cook as one of their mothers, and however old she is, they call her mother.

If one treats them a little well, and does so in good humor, they love their master infinitely and will let no danger stop them from saving his life, even at the expense of their own.

They are naturally eloquent, and they use this talent well when they have something to ask of their masters, or to defend themselves against some accusation; to be loved, one must listen to them patiently. They know marvelously well how to skillfully present you their good qualities, their attentiveness to your service, their work, the number of their children and their good education; after that they will list for you all the good that you have done them, for which they will thank you very respectfully, and they finish with the request that they have for you. If the thing is feasible, as it usually is, it should be granted immediately and willingly; if it is not, they should be told the reason and sent away happy by giving them some trinket. It cannot be believed how this will win them over, and provoke their affection.

As a general rule they should never be threatened. They must be punished immediately if they deserve it, or pardoned if appropriate. The fear of punishment often leads them to flee into the woods and become maroon [run away]; and once they have tasted this libertine existence, it is enormously difficult to break them of this habit. [Translator's note: Escaped slaves were a

major problem for planters in the Caribbean and parts of Latin America where the environment and the sheer number of slaves, compared to Europeans, made it possible for escapees to establish permanent towns in the wilderness. Just as troublesome to masters was some slaves' tendency to leave the plantation for short periods of time, then returning under the protection of a sympathetic priest or neighbor.]

Nothing will hold them and prevent them from escaping more than to take measures so that they have something they can profit by, like fowls, pigs, a garden of tobacco, cotton, pasture or something similar. If they leave and don't return within 24 hours by themselves or accompanied by some neighbor or some friend who asks pardon on their behalf, which should never be refused, one has only to confiscate whatever property they might have. For them this is a severe penalty and returns them to their senses far faster than ordinary punishments, no matter how severe. One such example of confiscation is enough to prevent all the slaves of a plantation from perhaps making a similar mistake.

They are very fond of one another and quite willingly help each other in their needs. It often happens that, if one of them makes a mistake, they will all come together to ask his forgiveness, or volunteer to take for him part of the punishment he deserves. They will sometimes go without food to have something to please or comfort those from their country that come to visit them, whom they know needs it.

They love games, dancing, wine, brandy, and their passionate temperament makes them very partial to women. This last fact makes it necessary to marry them early, in order to prevent them from lapsing into serious licentiousness. They are jealous and will take extreme measures when they feel offended on this point.

Dance is their favorite passion, there is no people in the world more attached to it than they are. When their master does not allow them to dance on the plantation, they will travel three or four leagues after leaving work at the sugar mill, Saturday at midnight, to be somewhere where they know there is a dance

[description of the *calenda*, a dance or dances whites regarded as African.]

Laws have been passed in the islands to prevent these *calendas* not only because of the indecent and lascivious postures of this dance, but also to avoid overly large congregations of slaves who, finding themselves so joyfully thrown together, usually under the influence of brandy, could stage a revolt, an uprising, or thieving raids. However, in spite of these laws and all the precautions that the masters can take, it is practically impossible to prevent them, because of all their entertainments this is the one that pleases them the most and to which they are most sensitive. In order to make them forget this infamous dance, they have been taught several French dances, like the minuet, the *courante*, the *passe-pied* and others, as well as *branles* and round dances, in order that they can dance several at once and jump as much as they want to. I have seen many who acquit themselves well at these exercises and whose ear is as fine and whose steps as measured as many folk who pride themselves on dancing well.

Several among them play the violin, fairly well and earn money playing at congregations and at marriage celebrations. Nearly all play a type of guitar made of half a gourd covered with a skin scraped down to the thickness of a parchment, with a fairly long neck.

Their music is not very pleasant and their chords not very steady. Nevertheless there are folks who enjoy this harmony as much as that of Spanish and Italians peasants, who all have guitars and play very badly. I do not know if they are right.

It is very appropriate to always have all one's slaves in one's home on holidays and Sundays, not only to prevent accidental fires that can be started in the canes, or for other reasons, but also to prevent them from running to the neighbors and causing some problem. I would rather permit ours to dance all sorts of dances, except the *calenda* than to let them go outside. I often paid a violin player and I had them given several jars of brandy to entertain each other all together. I firmly believe that in spite all my precautions they dance the *calenda* as hard as they can when they are not afraid of being discovered. Their passion for this dance is beyond imagining; it animates the old and the young right down to children who can barely stand up; it is as if they had danced it in their mother's belly.

Father Jean-Baptiste Labat, *Nouveau voyage aux isles de l'Amerique*

Describing his visit to Saint-Domingue in 1700

Translated by [John Garriqus](#)

We call those who sail the seas without commission forbans [pirates]. Properly speaking these are public thieves who attack any and all nations and who, in order not to be discovered, sink vessels after having attacked them and slit the throats or throw into the sea those crew members who would not join them.

The name "forbans" comes from "forbanis," which is an old French term meaning banished or outlaw. The pirates are ordinarily "flibustiers" or privateers, who having grown accustomed to this libertine life in wartime when they had a commission from their sovereign to prey on enemies of the State, were unable to decide to return to work when peace is made, and continue to raid shipping at the expense of whomever appears. Encountering them is to be feared, especially if they are Spaniards, since most of these are only mulattos, cruel and irrational, they rarely spare anyone. It is considerably less risky to fall into the hands of the French or English; they are more humane and willing to bargain, and after escaping their initial furor, one can reason with them and get out of the affair.

These sort of folk carry their sentence with them. Whoever takes them has the right to hang them on the spot from the yardarm or to throw them into the sea. Only two or three are held as witnesses for the ruling on the vessel in which they were taken, after which they are

treated like their comrades had been. We feared meeting some of these gentlemen, because we knew that some of them preyed on the coast [of Saint-Domingue], where they had already taken several vessels. But since we knew they were French, we hoped to meet up with a group and be rid of them for a few barrels of cognac, of which our vessel had a considerable supply.

We arrived on Saturday, a little before midnight, at the wharf of the town of Petite Riviere, which is in the large district called Leogane. Because of the hour, we spent the rest of the night in the boat.

Sunday January 16, we paid the captain from Nantes who had carried us and we went ashore. Our religious brothers who had somehow learned of our arrival at the cape, were sure that were in the vessel that they saw anchored in the harbor that morning. In fact, we found Father Bedarides waiting for us at the seashore.

I had heard such fine things of this district that I was surprised that my ideas were so far from what I found on shore.

The houses of the town were mostly [built] of branches [stuck into] the earth, daubed with mud. Some were built of lumber, with a second story and shingles. All these houses, about 60, were occupied by merchants, by a very few workers, and by a lot of taverns. The rest were storehouses where the planters put their sugar and other merchandise waiting to be sold or loaded.

The parish church was about 200 steps from the town, so covered and hidden in the brush that we had trouble finding it. We entered and found nothing but a sorry-looking table and a miserable ship's trunk, where we found the church vestments, which were about as dirty, torn and badly cared for as any in the world. The rest of the church was no better, as much out of poverty as of filth.

This put out Superior General into such a foul temper [that he] sent for slaves and had the church and its surroundings cleaned as much as the solemnity of the day and the weather permitted.

The planters, arriving at the church at the hour of Mass, were surprised by the harangue our Superior General directed at them, because he threatened to condemn their church. However he persuaded them so effectively that at the end of the service they promised to pay for the construction of a new and more decent church, and in the meantime they would have work done from the next day to put this one in the best condition possible.

The superior of our Saint-Domingue mission was a priest from the Limoges convent named Father Naviere. He was 38 to 40 years old, very active, with an extraordinary talent for exhausting himself without accomplishing anything, an excellent priest for the cloister, but inept for anything outside, the greatest squanderer of property, and the most unorganized in his business that I have ever known. This was the basis of the complaints that the [other] priests

had made against him and the subject of our trip and my commission. He had leased our slaves to a neighbor for the sum of 10 thousand francs a year in a season when he could have made more than 30 thousand livres in sugar, and, not content to have made this bad arrangement against the wishes of the other priests, he had included the lands of the parish in this lease, with the vicarage and its outbuildings, so that we found him living in borrowed lodgings in one of the cafes of Sieur de Laye, from which he might be ejected at any moment with no other resource than to build or rent a house in the town. We found our mission very bad and frightfully filthy.

As soon as we had eaten, the Superior General had the orders read by which he made me representative/steward ["*commissaire*"] and inspector of the mission with all the power I would want. He ordered the priests to acknowledge my position, and immediately left on horseback to go to the Esterre district, three leagues from there, where he had decided to stay while I carried out my orders.

After the usual formalities I gave Father Naviere five days to prepare his accounts and to provide me with a report of the debts of the house. I also left him a list of the topics about which I wanted more information, and I left with Father Bedarides to go to Esterre to join the Superior General, with whom I was to stay.

Esterre is a town three leagues from Petite Riviere. Though I had been unhappy with [the town] where we landed, with its parish church and vicarage, on the other hand I was quite pleased with this one, and with the beauty of the lands and the route we took to get there. It seemed to me to be that great roads of the park at Versailles. The town was larger than Petite Riviere. Most of the houses were in lumber, two stories, securely built, closed with boards, covered with shingles, occupied by rich merchants. The parish church was not sumptuous but sufficient. There was even a pulpit for the preacher. In a word, we found everything in good condition and the Superior General had reason to be quite content with the church and the cure, whose zeal, piety, exactitude and good example were praised by everyone. This was Father Bedarides.

Not long before we arrived in Saint-Domingue a Gascon [from the region around Bordeaux] gentleman, or a man claiming to be such, took advantage of a woman [in such a way that] the authorities could not intervene. We were told the story which is too remarkable not to tell it here as it was told to us. I have added nothing to it. [Translator's note: Noblemen from this southwestern region of France were frequently stereotyped for comic or literary purposes as poor, overly-proud, but not very hard-working. Gascons were held to be smooth-talkers, with a distinctive accent. Perhaps the most famous Gascon in French literature that most Americans might know is D'Artagnan, the fourth member of Alexander Dumas' *The Three Musketeers*, an historical novel written in the 19th century.]

This gallant man, whose name I withhold, having heard of the generosity of [the French governor] M. du Casse, came to him, sure that he would do for him what he had done for so many others. M. du Casse, indeed, offered him [a place at] his table and house while he waited

for an opportunity to serve him. He told him to see the country and to find something that suited him.

Our gentleman saw a number of planters who had many slaves and since Gascony is more a land of invention than industry, he suggested that M. du Casse encourage each of these large planters to give or lend him a slave. For, he said, the work of their plantations will not be diminished by one less slave, and when I have 50 or 60 I will be able to build a fine plantation and reestablish myself.

M. du Casse, for amusement, proposed this plan to a large party who ate at his house, and, observing that no one was in the mood to subscribe to this scheme, he told the Gascon that he would have to think of something else, nevertheless there was no hurry, for his house was still at his disposal, and he advised him only to choose well, and that, if he was inclined to marry, a gentleman was sure to find substantial advantages in this country.

This gambit pleased the Gascon, he set to work, he searched, he discovered and decided to try his luck. He told M. du Casse that he had found a nest, that perhaps the bird would be difficult to take, but with his protection, he hoped to see it through.

The bird was an old widow from Dieppe who had buried six or seven husbands, and her nest was a prosperous plantation, well furnished with slaves and with all everything that a wealthy person can be admired for. It was between Esterre and Petit Cul-de-Sac.

The Gascon, having made his plans carefully, dressed in his best clothes and rode one of M. du Casse's horses. He arrived at this plantation about dinner time; on

the pretext of needing shelter from a bit of rain, he entered and paid his compliments to the old woman in a manner which pleased her all the more since it had been some time since she had heard anything so witty. She had him stay for dinner, as is the custom. While they were at the table, he did his best to court her and he was happy to notice that these attentions did not displease the old woman. He asked for his horse sometime after they had left the table and, find an excuse to stop by the kitchen, he passed some money to the servants, who were at once at his service.

The old woman noticed that he had forgotten his boots as he mounted his horse (for apparently he had had his boots removed before dinner), she reminded him; but he replied that he had left more than his boots with her and that he feared he might never regain it. The old woman understood what he meant and was pleased. He left and slept under some other pretext at a plantation two leagues from there. He was sure to return the next day at the same time he had come the day before. The servants, won over by his generosity, hurried to inform their mistress of his arrival and to take his horse; he entered in the same time as the woman and after greeting here:

--Madame, he said, do not think that I came to take what I left here yesterday; it is no longer mine, you will possess it for ever.

The old woman, believing or pretending to believe that he was talking about his boots, thanked him and said that this was not her way and immediately told a servant to bring them. But the Gascon told her that this was not about boots, that it was his heart that he had left here, that it was so happy that it didn't appear to want to leave and that, in this case, it was right that he stay where his heart had settled down. He continued to keep at her in this way throughout the meal and afterwards. As night approached, the old woman told him that his horse would be brought to him whenever he wished.

--He! What for, Madame? he said. My heart will never leave here, it is made for yours, I would be attempting the impossible were I to try to separate them. As a good Frenchman, Madame, he continued, this means that I love you and that I believe that you have too much taste not to reciprocate and become my wife.

To this point the sweet-talk of the Gascon had pleased the old woman, but the word marriage frightened her. She grew serious, she tried to get angry: the Gascon, unperturbed, continued his sweet nothings and finally swore that he would not set foot outside her house unless she married him.

They supped, and although the old woman was in a bit of a bad mood, he did not stop talking of his love nor trying to persuade her that she loved him but that she thought it improper to declare it so soon. After supper he found a bedroom ready and retired there, after walking the old woman to hers and wishing her good night.

He knew from the servants that a certain merchant from Nantes named Gourdin was courting their mistress, that things were quite advanced and that he should come to see her the following morning. Based on this information he decided that the old woman's bad mood was due to this [visit] and he resolved to rid himself of this M. Gourdin.

When daylight came and the lady had risen, he conversed with her while waiting for M. Gourdin, and, having seen him come, he installed himself at the door of the house with a large cudgel at his side. M. Gourdin, dismounting, was a little surprised to see a man in, [gold] braid and feathers at the door of his intended. He nevertheless approached in a humble manner. But the Gascon, raising his voice:

--What do you want, Monsieur? he asked. With whom do you have business?

--Monsieur, replied the Nantes merchant humbly, I wish to speak to Madame NN.

--To Madame NN? said the Gascon. You are mistaken! It is me you need to speak to, now. Would you by chance be M. Gourdin?

--Yes, Monsieur, said the merchant. At your service.

--Oh, learn, little merchant from Nantes, that Mme NN deserves a gentleman like me and not a nobody like you. You are M. Gourdin, and here is M. Cudgel (taking the cudgel in one hand and his sword with another) who informs you that if you ever have the courage to think of Madame NN, he will break your arms and legs!

And without further ado, he set upon him. The old woman came out to prevent a disturbance, but M. Cudgel, who continued his activity, forced M. Gourdin to flee to his horse. The slave who held him dropped the bridle and fled, afraid to be given his share of what his master was receiving; the horse did the same and M. Gourdin ran after both of them, still accompanied by M. Cudgel, until the speed of his legs took him out of range.

The triumphant Gascon returned from his expedition and throwing the cudgel down with a fistful of coins:

-- Voila, Madame, for the owner of the cudgel, because it is right to compensate those who participated in Madame's defense.

Then, addressing the old woman, who was angry or pretended to be:

-- Voila, Madame, a sample of what I will do for you and how I will treat those who lack respect for you. I did not want to push things too far, so this rascal witnessed my moderation, and at the same time got an example to keep other foolhardy souls in line.

Our Gascon took care to advise M. du Casse of all that occurred and he turned the old woman's heart so well that the following Sunday they published their wedding banns, and married on Monday, having made each other the full beneficiary of all their property, present and future. Unfortunately M. Gourdin did not survive the loss of his mistress. He took to bed the day after the wedding and died in less than 5 or 6 days.

The marriage was all the talk of the island and the speed with which it was concluded surprised everyone. When the old woman's neighbors expressed their amazement to her, she replied, with characteristic Dieppoise naivete:

--He! what the devil do you want! I had to marry to get this Gascon out of the house, for he had sworn not to leave unless I did!

Petition from the Free Mulattos and *Nègres* in the Prisons of Fort Dauphin to the Superior Council of Cap Français (1765)

Translated by [John Garriqus](#)

Translator's note: This petition reflects some of the changes brought to Saint-Domingue by the end of the Seven Years' War (1756-1763). France's loss to Great Britain highlighted the military vulnerability of the colony. After 1763 the royal government greatly expanded its presence in the colony, and increased the level of militia service of all free people in the colony, especially free men of color. [Source: French National Archives, Colonies C9bbis.]

To our Lords: the Counsellors of the Superior Council of Cap,

The free mulattoes and *nègres* of this colony, very obedient and very faithful subjects of his majesty the King of France, humbly beseech

That it please you, our lords, to be informed by them in your office of the excessive hardships and the terrible distress that they have suffered on account of the loyalty they have always had and will ever have for his Majesty, however that be expressed.

The utmost rigor, exactitude, bravery, enthusiasm and courage that they have always shown and made known to you and before the eyes of your lordships for the safety of His Majesty's royal scepter had always given them hope and had even convinced them during the unhappy times of these late wars that peace would end their misery, but on the contrary [this was] only a vain hope, [and] our misfortune, for this is the reason for our chains.

We were to be forced to enlist in a newly established Legion, and subjected to a perpetual slavery to which we and our descendants would be reduced, without possessions or even claims to property and this is the means to besmirch [ternir] our posterity and yet, however, we had seen that his benevolent Majesty, whose august person your lordships represent, had granted us liberty in the full force of time and expressed in Article 59 of the Black Code and Civil Code of 1685 which, as you know our lordships, is written thusly.

We grant to manumitted slaves the same rights, privileges and liberties enjoyed by persons born free; desiring that they merit this acquired liberty and that it produce in them, both for their persons and for their property, the same effects that the good fortune of natural liberty causes in our other subjects. Our lords to try to force us to enlist and to have us thrown into irons to constrain us to enlist is to take that liberty from us; we have always served His Majesty faithfully without pressure, we were yet the first to arrive and the last to return from those places threatened by some enemy attack and moreover we went promptly, still without pressure, every holiday and Sunday to practice with canon and Tuesdays and Thursdays with

field pieces and other mandatory work and details, like loading and unloading munitions for the artillery, carting the gun carriages of cannons that had to be moved, constant sentinel duty for my lords the Governor and Intendant, mandatory work in the field, and musket drills and everything [was done] with affection, courage and enthusiasm, in all nothing could shake or diminish our loyalty, to pay punctually all the tariffs and taxes and contributions due to His Majesty and all that earned them nothing.

It seems instead that this was a crime, that this has brought upon us the harsh treatment that we are suffering, some others of us have been taken to the Turk Islands to work there, today we are brought to a prison cell, fettered like criminals transferred from one prison to another and from our birthplaces to sites unknown to us to kill us in misery, in irons, crushed by blows from soldiers' musket butts, [threatened] with transportation, with being sold back into slavery for the profit of the King, and with the confiscation of our property and in this despair we are not even protected from the insults of our inferiors, that it please you, Our Lords, to investigate the distress heaped upon your poor citizens, and the void that this causes for this colony whose fathers you are, for, seeing ourselves so oppressed, we no longer believe we could be moved to fight for that fatherland [patrie] no longer wanted -- that be ours[;] we can draw only very grievous consequences from this [situation] for ourselves and our descendants, who as children born from us will have only the status of slaves, since we recognize that we are mere unfortunates, oppressed, not resisting with the courage that we have always shown in defending a fatherland that is no longer to be ours, since we are effectively forbidden property we will have none and henceforth we will be unable to acquire any and to use it; we see our wives and our children are little more than a band of wretches and we hope for their obliteration, we beg our lords to see with the eyes of your Holy Justice, that we are your citizens and your children, since you are the fathers of the whole colony and that we are subjects very attached to this fatherland [patrie] from which we are to be separated, and that we are useful to it, and very fond though indeed wretched, and that we have no other support than that of your justice to which we run as if to the sole fount of mercy, which could put an end to our misery, we ask you, Our Lords, in the name of God, and of our King and of your holy justice to cast off our chains and end our misfortunes which we hope will move and horrify your justice our lords, and that you will be pleased to order that no more such violence be done to us [who do] not reject that duty that all militias will be established to do, and the same duty as them; in consideration of this, our lords, may it please you to order the end of these pains and to deliver from their irons [men who] will never cease all their lives to offer their prayers to heaven for the safety and prosperity of our liberators and benefactors.

Signed, Lambert, M. Marseille, Vincent, Carre in the prisons of Cap, J.b. LeChatz, Pierre Imbers, Claude Imbert, Luis Lavalee, Lareene, J.B. Mila, E. Chauileau, Labonne faim, Le Maux, Sombre, Lavignac, Tolete Senipee, Dutil, Froget, Holie, Baussier, E. Meigner, P. Millot, J. Foreau, Pl Grandan, Lacomble, J. Viar, Delbieq, Pouget, Bauny, Jacques leRoy, Francois Piraumeau, Le Chevreuil, Alexis Pironneau

A free man of color tracks a maroon slave

Source: French National Archives, Section Outre-mer, notary Gaudin, Nippes, register 738.

Translated by [John Garriqus](#)

Translator's Note: Dompète or Dom Pedro was a new form of *vodun* or Voodoo that had been identified in the 1760s in Saint-Domingue's southern peninsula, not far from where this affidavit was filed. Strongly identified with Congo slaves, the largest African ethnic group on the southern peninsula, the Petro rite was associated with a formidable array of supernatural powers. In 1814 Drouin de Bercy identified the Petro cult as "the most dangerous of all the black societies ... its members are thieves, liars, and hypocrites and they offer evil advice that destroys livestock and poultry. It is they who distribute that slow and subtle poison that kills whites and other blacks who have displeased them." In a book published in 1806 the naturalist Michel Descourtilz reported that "Dompète, it is said, has the power to uncover with his eyes, in spite of any material obstacle all that happens, at no matter what distance The members of this sect have access to magic to inflict their vengeance."

December 31 1781, seven o'clock in the morning; before notary Guadin there appeared:

...the so-called Francois Picau [crossed out: "free griffe"; added in the margin: "honorary cavalier in the constabulary brigade of the town of Ance a Veau, for the purpose of acquiring his liberty free of charge, according to the regulations of this colony"] & overseer on the plantation of the lady widow de Raymond and de Saint Germain; and Joseph, called Aubert, free mulatto, living at the Barradares

Who said to us, that because of the troubles the so-called Sim called Dompète, *nègre*, native of the Cayes du fond region, had caused by his presence in the vicinity of the above mentioned Barradares in this Nippes district, at Preandes, because of the results of poison, that Sieur Frotin, former sergeant of the constabulary, residing in the said Barradares near the Salt River, had gone with several free people of color, at the urging of several residents of the said place, to find and pursue the said *nègre* Sim, called Dompète, to try to capture him or destroy him, which they were not able to do. That the said *comparants* [persons appearing in court], in view of the importance for public welfare and for the security of the citizenry, in order to destroy this *nègre* Sim called Dompète, if possible, having been given several clues, voluntarily set out for the woods of the Great Wilderness, between the Barradares and Jeremie [crossed out "yesterday"] last Saturday, 29th of this month, about seven o'clock in the evening, under a full moon. They walked the rest of the night, the first armed with a pair of pistols "Darecon" and a machette [*manchette*]; the other with his musket and a sword. At daylight, finding themselves near the plantation that formerly belonged to one Roux, [now] abandoned they spent the day there, hidden in the woods near the highway hoping to meet and see pass the said *nègre* Sim called Dompète; who they had been told the night before could take no other road to go to the

place called Lamachotière in the Jeremie region. The day passed without seeing anything; as night fell, both of them constantly in the highway, where they walked not far from one another in order to be able to help each other in case of some meeting and to more easily capture the subject they were after.

That around eleven o'clock in the evening, thanks to a magnificent full moon, the said Francois Picaud, one of the *comparants*, saw someone dressed in white before him, coming towards him. Soon, at his side, he recognized this to be an unknown *nègre*, carrying a sword under his arm and a white hat on his left side, with a *macoute* bag hung from his shoulder, to him he said Is it you [vous] is it you [vous] is it you [toi] Sim. Immediately, without any response, having stepped back two or three steps, putting his hand on the sword with which he was armed [he] began to defend himself against him. Having seen this the said Picaud and the said Aubert who was behind him, had no further doubt that they were contending and fighting with the *negre* Sim, called Dompète. The said Picaud defended himself with his *manchette*, with which he had expressly armed himself; after several blows from one and the other with these weapons [*armes blanches*] without doing either one the slightest harm. Repeated to the *nègre* Is this you [toi] again who is Sim: believe me, give yourself up or I will have your head if you don't have mine. That despite all his words he did not stop fighting without offering a single word. The said Picaud, seeing that the fighting was leading into the woods, despite himself, suspecting that his enemy had firearms in his *macoute* because of the efforts he was making while fighting to put his left hand in his *macoute*. He said to his comrade Aubert; My friend, since because of the position of this place you can not use your sword to help me defeat this courageous nègre Sim who prefers death to life, fire your musket at him in his body if possible. Aubert having immediately tried to do this, his musket misfired, the primer [*amorce*] only burning. This determined the said Picaud to fire one of his pistols, hung at his waist, loaded each with two balls, at the said *nègre* Sim; that this pistol shot, that he thought hit him in the body, instead of weakening him, only gave him more courage and powers dangers for them, reminding this *negre* of the efforts he had to make to take from his *macoute* the firearms that it might contain; still without saying a single word. This gave Picaud the idea to fire his other pistol shot at him, which, hitting him and soon weakening not the courage but the strength of the said Sim, who shortly thereafter fell stone dead to the ground because of the great amount of blood he had lost from the two pistol shots he had taken. Which was the compensation [crossed out "the success"] of a brave battle which lasted at least three hours, in which success belonged to the *comparants*. That afterwards they cut the head from the trunk of [crossed out "the dead enemy"] their dead enemy to take it, with his sword and his *macoute* to show the lot to M. the Acting Royal Attorney of the Royal Court at Petit Goave for this district to make a deposit and an affidavit as is the law.

Contents of the said *macoute*

- two small packets of red cloth tied with *mahu* and at each end different colored animal feathers, one having attached to it two tiny long grains of red *verve*, the other also attached to two red branches with different contours
- another little packet wrapped in white rabbit or cat skin, having several different colored feathers and also tied with *mahu*
- Another closed packet of blue cotton cloth, bound similarly having at the end several black feathers;
- three other little packets about the size of a nut, one in white canvas, the other in crimson taffeta and the last of blue canvas
- two small pieces of a *casse* stick, pierced with several holes purposefully made three small bones of a fowl
- a *elon* with a small piece of whalebone at one end and a little wad of string
- a sea *puselage* whose opening is chewed, at each end of which is stuck a round escalin coin, and in the middle also is stuck a small piece of bottle glass and within is a piece of string about two and a half feet long coming and going at each end with a little piece of rolled blue cloth
- five tiny black tree seeds
- a small piece of white wax
- fourteen small red and green parrot feathers bound together
- four different metal shoe buckles
- a small gourd
- a money purse of blue velvet with a white *millère* all about